

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|             |   |   |           |                                       |
|-------------|---|---|-----------|---------------------------------------|
| Applicant:  | <b>ZARKH, et al.</b>  | ) | Examiner: | ANDRAE S. ALLISON                     |
|             |   | ) |           |                                       |
| Serial No.: | <b>10/565,224</b>   | ) | Art Unit: | 2624                                  |
|             |   | ) |           |                                       |
| Filed:      | July 14, 2004   | ) | Our Ref:  | B-5874PCT 623203-7                    |
|             |   | ) |           |                                       |
| For:        | “METHOD AND SYSTEM FOR<br>IDENTIFYING OPTIMAL IMAGE<br>WITHIN A SERIES OF IMAGES THAT<br>DEPICT A MOVING ORGAN” | ) | Date:     | February 13, 2009                     |
|             |   | ) |           |                                       |
|             |   | ) | Re:       | <b><i>Non-Final Office Action</i></b> |
|             |   | ) |           |                                       |

**AMENDMENT AND RESPONSE**

Commissioner for Patents

Sir:

In reply to the Notice of Non-Compliant Amendment mailed on February 4, 2009, a response to which is initially due by **March 4, 2009**, Applicants submit this paper to replace the paper previously submitted on December 23, 2008 in response to non-final Office Action mailed on September 26, 2008. Please amend the above-identified application as described below and consider the following remarks. **All amendments and remarks herein are made without prejudice.**

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.